

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 3:23-cr-73

vs.

DANIEL BROWN,

District Judge Michael J. Newman

Defendant.

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**ORDER: (1) CONTINUING TRIAL PURSUANT TO DEFENDANT’S STATUS REPORT (Doc. No. 30); (2) VACATING THE TRIAL SCHEDULED FOR MAY 29, 2024; (3) TOLLING THE SPEEDY TRIAL ACT DEADLINE; (4) EXCLUDING THE TIME PERIOD FROM MAY 15, 2024 TO JULY 15, 2024 FROM THE SPEEDY TRIAL ACT CALCULATION; (5) SETTING A STATUS REPORT DEADLINE OF JULY 1, 2024; AND (6) SCHEDULING TRIAL FOR JULY 17, 2024 AT 9:30 A.M.**

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This criminal case comes before the Court following Defendant’s status report (Doc. No. 30). In the status report, Defendant indicated the parties needed more time to discuss plea offers and ways of resolving the case. *Id.* Defendant requested 30 to 45 days to do so, as trial is scheduled for May 29, 2024. *Id.* The Government does not oppose a continuance. *Id.* Accordingly, the Court will treat the status report as a motion to continue trial.

The Court finds that, pursuant to 18 U.S.C. §§ 3161(h)(7)(A), (B)(i), after considering the factors set forth therein, the ends of justice are served by granting the requested continuance and that such continuance outweighs the best interest of the public and Defendant in a speedy trial. Failure to grant the requested continuance would deny both the Government and Defendant the time necessary for effective preparation (such as having witnesses available to testify at trial), and the ability to explore all available means of resolving this case. *See* 18 U.S.C. § 3161(h)(7).

Thus, the Court hereby **CONTINUES** the instant case. The trial scheduled for May 29, 2024 is hereby **VACATED**. The time from May 15, 2024 until July 15, 2024 is **EXCLUDED** in computing the time period set forth in 18 U.S.C. § 3161 within which the United States must bring Defendant to trial. Accounting for the time excluded from the Speedy Trial Act calculation, the new **Speedy Trial Act deadline** in the instant case is **July 24, 2024**.<sup>1</sup> The Court **DIRECTS** the parties to file a joint status report **by July 1, 2024**. Finally, the Court **SCHEDULES** trial for **July 17, 2024 at 9:30 A.M.**

**IT IS SO ORDERED.**

May 16, 2024

s/Michael J. Newman  
Hon. Michael J. Newman  
United States District Judge

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<sup>1</sup> If counsel disagrees with this calculation, counsel shall file a notice containing their proposed Speedy Trial Act calculation and deadline.